IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 3737 of 2005

Between:

Smt.G.Sunitha Kumari, W/o.G.Muralikrishna,
R/o.Door No.27/432, 4th Street, Gayatrinagar, A.K.Nagar,
Post, Nellore-4.

... PETITIONER

AND

1. The Director of Mines & Geology, Government of Andhra Pradesh, 8th floor, Burgula Ramakrishna Rao Bhavan, Tank Bund, Hyderabad.
2. The Assistant Director, of Mines and Geology, Nellore.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more in the nature of writ of Mandamus declaring the action of the 2nd respondent in not disposing of the representation of the petitioner dt.24-1-2005 as per the Directions of the 1st respondents issued in Memo No. 2299/R3(1)/2005 dt.27-1-2005 in terms of section 25-A of the Mineral concession Rules of 1960 as illegal, arbitraray and consequently direct the respondents to transfer the silicon Mining lease in Sy.No.256, part to an extent of AC.25-00 cents in Vellapalem village, Chillakur Mandal, Nellore District in favour of the petitioner from the original Lessee Late A.Radhakrishnaiah by disposing of the petitioner's representation dt.24-1-2005 forthwith and pass such other order or orders as deem fit and proper.

Counsel for the Petitioner: MR.M.SUBBA REDDY

Counsel for the Respondents: GP FOR MINES AND GEOLOGY

The Court at the stage of admission made the following:

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ORDER:

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This writ petition is filed seeking a writ of Mandamus declaring the action of the second respondent-Assistant Director of Mines and Geology, in not disposing of the representation dated 24-01-2005, whereunder, he sought transfer of leasehold rights in silicon mining in respect of Sy.No.256 of Vellapalem Village, Chillakur Mandal, Nellore District as illegal and arbitrary.

The petitioner states that on the basis of her representation, first respondent-Director of Mines and Geology, by proceedings dated 27-01-2005 directed the second respondent-Assistant Director of Mines and Geology, to take necessary action in consultation with Revenue Authorities and in accordance with the Statutory Rules. However, the 2nd respondent failed to pass any orders so far and simply kept the matter pending. Hence, this writ petition.

Having heard the learned counsel for the petitioner and the learned Government Pleader for Industries appearing for the respondents, without expressing any opinion on merits, the writ petition is disposed of with a direction to the second respondent-Assistant Director of Mines and Geology, to consider the representation of the petitioner dated 24-01-2005 and pass appropriate orders, in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order.

The Writ Petition is accordingly disposed of. No order as to costs.

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G. ROHINI, J

Dated: 28-02-2005

Note: Furnish C.C. in three days

B/o.

LSK

ASSISTANT REGISTRAR

To

1. The Director of Mines & Geology, Government of Andhra Pradesh, 8th floor, Burgula Ramakrishna Rao Bhavan, Tank Bund, Hyderabad.
2. The Assistant Director, of Mines and Geology, Nellore.

3. Two C.Cs. to the G.P. for Mines and Geology, High Court Buildings, Hyderabad. (O.U.T.)

4. Two C.D. copies.